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SUBJECT: ZIMBABWE - TRAFFICKING IN PERSONS REPORT 2003 -
2004

REF: A. SECSTATE 27013

1B. 2003 SECSTATE 338722

11. Overview of Zimbabwe's Activities
to Eliminate Trafficking in Persons:

1A. There continued to be infrequent anecdotal reports that Zimbabwe was a country of origin and transit for internationally trafficked persons, particularly women and children. Save the Children Foundation - Norway (SCFN), a local NGO, interviewed children, commercial sex workers, money changers, truck drivers, immigration officials and others in the border town of Beitbridge and identified five unnamed Zimbabweans who may have been victims of trafficking.

Although the report is entitled, "Unearthing the Phenomenon of Child Trafficking in Zimbabwe", the SCFN report did not identify the ages of some victims or the circumstances of their work conditions--leaving questions unanswered about whether any interviewee had actually been trafficked. There were anecdotal reports that girls trafficked from Malawi to South Africa sometimes transited through Zimbabwe. All of the NGO and law enforcement officials interviewed for this report said that there are no reliable statistics on the extent of trafficking in the country. While no clear cases were identified, there were a handful of anecdotal reports that Zimbabwean girls from poor families and occasionally boys were the victims of trafficking.

1B. There were anecdotal reports that victims were trafficked from all over Zimbabwe to the border towns, Beitbridge, Plumtree, and Forbes, as well as into South Africa.

1C. Unlike in previous years, there were no reports that Zimbabwe was a transit country for persons trafficked from Asia, Mozambique or Zambia.

1D. SCFN issued a report on trafficking in August 2003 that focused on Beitbridge. SCFN intends to carry out similar research in the border towns of Plumtree and Forbes and compile the combined research into a single report later in 12004. These reports are not expected to be quantitative, and there are no surveys underway or planned to document the trafficking statistically.

1E. There were no reports that Zimbabwe was a destination point for internationally trafficked victims.

According to the SCFN report, motivated by the promise of paid work, Zimbabwean girls would leave their homes and hitch rides to Beitbridge and occasionally into South Africa with truck drivers paying them by engaging in sex with them. The girls would eventually either hitch rides back to their home areas, also using sex for payment, or stay in Beitbridge and work as commercial sex workers in brothels or independently, or work as commercial sex workers, domestic servants, or street vendors in South Africa.

Boys seeking employment also would hitch rides to Beitbridge with truck drivers, pay for the ride with borrowed money, pay smugglers to get them across the border into South Africa, and make their way to farms and cities in South Africa. In two cases, boys reported that they sprayed and picked oranges with no protection from pesticides. The report also said that boys work in construction, sell scrap metal sales, work at car washes, or work as street vendors in South Africa.

SCFN reported that while the children were in South Africa they frequently lived as vagrants or squatters.

SCFN reported that both boys and girls were occasionally and sometimes frequently deported back to Zimbabwe under deplorable conditions in packed trucks, trains and holding cells in South Africa. The victims were usually dropped off in Beitbridge and most found their way back to South Africa of their own volition. South African police reportedly threatened to shoot, and sometimes did beat some of the male deportees. In attempting to return to South Africa on foot, boys would usually pay smugglers in cash, while girls would

often engage in sex with smugglers to secure passage.

1F. The anecdotal reports suggested that female teenagers were the most common victims of trafficking. There were no reports that any were coerced into leaving their homes. The traffickers were truck drivers and smugglers who simply facilitated a border crossing whether or not the victims had passports, visas or other identity documents.

1G. Officials in the Zimbabwe Republic Police and the Ministry of Justice, Magistrates and Immigration officials have identified trafficking as a potential problem and expressed interest in responding, but they had no data on the problem for which to design a specific response, and were relying on NGOs to help alert them to any particular cases.

During the year, immigration and police officials attended SCFN-sponsored workshops in Beitbridge and Harare to raise awareness of the problem. Police officials subsequently requested from SCFN copies of a training manual to teach police officers to recognize and respond to trafficking. Police officials met regularly with the Interpol local and regional offices, and with police from the region to discuss combating trafficking, among other things. The Director of Immigration pledged his support and participation in the study that SCFN undertook, and police and immigration officials in Beitbridge helped to facilitate SCFN's research.

Police officials investigated allegations that women from Manicaland had been trafficked abroad and had returned. The alleged victims, however, denied that they had been coerced and that they were involved in prostitution. In January 2004, the Zimbabwe Home Affairs Minister announced a crackdown on corruption at border posts after some Revenue Authority officials were prosecuted for taking bribes. The Ministries of Justice, Education, Social Welfare and Home Affairs, and the ZRP and NGOs participate in an ongoing education and advocacy program coordinated by SCFN to combat child sexual abuse. In August 2001, Parliament passed and signed into law the Sexual Offenses Act, which makes it a crime to transport persons across the country's borders for the sex industry. Traffickers also can be prosecuted under other legislation, such as immigration and abduction laws. The Victim Friendly Courts (VFCs) were specifically created in 1997 to accommodate children and sexual offenses victims. A trafficked person has the option to take his or her case before the VFC.

1H. There was no indication that government authorities facilitated, were complicit in, or condoned trafficking in persons.

1I. While the government seemed willing to consider the problem, in the current economic downturn, there were very limited government resources to gather comprehensive data on, or respond to anecdotal reports of trafficking. Corruption among border officials and police was generally considered to be modest but rising.

1J. The government does not have a specific anti-trafficking program in place apart from general law enforcement, the court system, border control and social welfare programs.

1K. Prostitution is illegal in Zimbabwe, and the activities of prostitutes, brothel owners/operators are criminalized.

1L. There were no reports that the practice of buying or selling child brides (brides under the age of 18 years) occurred in the country.

12. PREVENTION: -----

1A. The GOZ recognized that trafficking in persons might exist, but lacked specific data and did not formulate a specific program to address the issue.

1B. The primary government authority that would combat trafficking is the Zimbabwe Republic Police (ZRP), including the Criminal Investigations Unit (CID). The Ministry of Justice, including Magistrates and VFCs; the Ministry of Home Affairs, including the Department of Immigration; the Ministry of Social Welfare; and the Ministry of Education would also combat trafficking.

1C. The Ministries of Justice, Education, Social Welfare and Home Affairs, and the ZRP and NGOs participate in an ongoing education and advocacy program coordinated by SCFN to combat child sexual abuse. At the invitation of SCFN the Chief Immigration Officer, other immigration officials, and officials from the Ministry of Justice, Ministry of Education, Ministry of Social Welfare, the Ministry of Home Affairs, and the ZRP as well as other NGOs attended a stakeholders meeting in Harare in 2003 to discuss the problem of trafficking as it affected Zimbabwe. In September 2002, the Child and Law Foundation of Zimbabwe held an international conference entitled, "Protecting the Sexuality

of our Children - Southern Africa Regional Meeting" in Harare. A High Court judge opened the conference, and representatives from the Ministry of Justice including a Magistrate, the Ministry of Education, and the Department of Social Welfare also attended. The South African NGO Molo Songololo presented research methodologies for data gathering on sexual exploitation. Participants at both meetings acknowledged that research on any trafficking that might be occurring in Zimbabwe was necessary.

1D. The GOZ supports programs that promote the rights of and opportunities for women and children. The Ministry of Social Welfare in particular runs three programs focused on enabling children to stay in school.

1E. The GOZ suffers from a lack of resources to effectively support research and prevention programs.

1F. The GOZ and civil society groups cooperate openly and communicate regularly on the issue of trafficking.

1G. There are checkpoints along all of Zimbabwe's major international border crossings. The Department of Immigration attempts to monitor for trafficking. No concrete evidence of trafficking has been uncovered by government authorities, or has been presented to police or immigration officials.

1H. The GOZ lacks a special coordination mechanism between GOZ agencies for trafficking, an anti-trafficking task force, or a public corruption task force.

1I. See 1. G. and 2. C.

1J. The GOZ does not have a national plan to address trafficking in persons.

1K. While various officials are open to the issue of trafficking and have pledged to combat it, the GOZ has not designated anyone to develop anti-trafficking programs.

13. INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

1A. While no laws specifically address trafficking in persons, common law prohibits abduction and forced labor, and the August 2001 Sexual Offenses Act makes it a crime to transport persons across the border for sex.

The Zimbabwe constitution provides that "no one may be held in slavery or servitude or be made to perform forced or compulsory labor."

The Zimbabwe Criminal Code prohibits corruption of children and young persons, and penalizes any person who allows a child or a young person to reside in or to frequent a brothel. Similarly, the code penalizes any person who causes the seduction, abduction, or prostitution of a child or young person. The code prohibits allowing the child or young person to consort with, enter into employment, or continue in the employment of any prostitute or person of known immoral character. Punishment for these offenses is a fine or imprisonment for up to 2 years or both.

The Zimbabwean Immigration Act penalizes any person who by bribery induces or attempts to induce any immigration officer to violate his or her duties under the Act. The Act criminalizes forgery of travel documents for the purposes of entering, remaining in, or departing from the country in contravention of the act. The Act penalizes anyone who hinders or obstructs any police officer or immigration officer in executing his or her duties under the Act.

1B. There is no penalty specific to trafficking at this time.

1C. There is no minimum penalty for rape or forcible sexual assault. Individuals convicted of one of these crimes must be imprisoned, but precedent determines the length of incarceration. Sentences for rape convictions typically range from four to fifteen years, depending on the circumstances of the crime.

1D. The GOZ has not prosecuted any cases of trafficking to date.

1E. There were no reports that any organized groups coerced victims into forced labor or prostitution in Zimbabwe. The SCFN report also found no evidence of abduction and attributed children's migration to escape from economic hardship. There were no reports that government officials were involved in trafficking. Truckers, migrant smugglers, and brothel owners were involved in trafficking; see 1. E.

1F. The ZRP actively investigated allegations of trafficking; see 1. G.

¶G. Police officers and immigration officials attended meetings and workshops sponsored by SCFN aimed at recognizing and investigating trafficking, and police later sought training materials from SCFN with the intention of providing training to other officers on these issues; see 1. G.

¶H. No specific cases of trafficking were confirmed. Police interacted with regional police bodies on various regional law enforcement issues including trafficking. Zimbabwean police cooperated with South African police to curb Zimbabwean migrant smuggling to South Africa.

¶I. There were no reports of extradition from Zimbabwe of those charged with trafficking in other countries. There were no reported cases of Zimbabweans charged with trafficking in other countries. The government has extradition treaties with many countries in the region.

¶J. There was no indication of government involvement in, or tolerance of trafficking at any level.

¶K. See 3. J.

¶L. The GOZ ratified ILO Convention 182 on December 11, 2000, Conventions 29 and 105 on August 27, 1998. The GOZ has not signed or ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography. The GOZ has not signed or ratified the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons.

¶4. PROTECTION AND ASSISTANCE TO VICTIMS:

¶A. No specific victims of trafficking were identified. Zimbabwe has a public health care system but it was strained for adequate resources for equipment, medications, and medical staff salaries. In cooperation with the GOZ, a local NGO (with USAID funding) provided HIV/AIDS testing and counseling at clinics nationwide for a nominal fee.

¶B. No specific victims of trafficking were identified.

¶C. See 4. B.

¶D. See 4. B.

¶E. See 4. B.

¶F. No specific victims of trafficking were identified, however, within the VFCs the perpetrator is not supposed to see or hear the victim during court proceedings.

¶G. No specific victims of trafficking were identified. Government officials attended training sessions, and sought out training materials from SCFN on responding to trafficking; see 1. G.

¶H. See 4. B.

¶I. No NGOs reported working with trafficking victims.

¶5. Post point of contact for Trafficking in Persons until June is FS 03 Political Officer Audu Besmer, or after June, Bianca Menendez (office phone 263-4-250-593 extension 291; fax 263-4-253-000, e-mail: besmeram@state.gov or menendezbe@state.gov). The estimated hours spent per officer in preparation of this report are as follows: Polfsn 2 hours, Poloff 25 hours, Polchief 0.5 hour review, DCM 0.5 hour review, AMB 0.5 hour review.
SULLIVAN